

Bayer 9998.2-HCL  
102150-13  
HA 3790-04US UST/ame

**REMARKS****Summary of Amendments Made**

Claims 1-13 have been amended in order to place them more in conformance with U.S. practice. It is believed that no new matter has been added. (This preliminary amendment is being filed concurrently with the response to the Examiner's restriction requirement).

**Closing**

Applicants also believe that this application is in condition for allowance. However, should any issue(s) of a minor nature remain, the Examiner is respectfully requested to telephone the undersigned at telephone number (212) 808-0700 so that the issue(s) might be promptly resolved.

Respectfully submitted,  
Norris, McLaughlin & Marcus, P.A.

By: Howard C. Lee  
Howard C. Lee  
Reg. No. 48,104

220 East 42<sup>nd</sup> Street  
30<sup>th</sup> Floor  
New York, New York 10017  
(212) 808-0700

**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that the foregoing Preliminary Amendment (4 pages total) is being facsimile transmitted to the United States Patent and Trademark Office on the date indicated below:

Date: 1 June 2004

By: Agata Glinska  
Agata Glinska